

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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Order Filed on May 17, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-2(c)
48382
Morton & Craig LLC
John R. Morton, Jr., Esq.
110 Marter Avenue
Suite 301
Moorestown, NJ 08057
Attorney for Santander Consumer USA Inc.

In Re:
SANDRA SMITH

Case No.: 19-10185

Adv. No.:

Hearing Date: 4-23-19

Judge: MBK

**ORDER SETTING AMOUNT TO BE PAID THROUGH PLAN AND DIRECTING THE
TRUSTEE TO MAKE ADEQUATE PROTECTION PAYMENTS TO SANTANDER
CONSUMER USA INC.**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

DATED: May 17, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

SANDRA SMITH

19-10185(MBK)

Order Setting Amount to be Paid to and Directing the Chapter 13 Trustee to make Adequate Protection Payments to Santander Consumer USA Inc.

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This matter having been brought on before this Court on objection to confirmation filed by John R. Morton, Jr., Esq., attorney for Santander Consumer USA Inc., with the appearance of William H. Oliver, Esq. on behalf of the debtor, and this order having been filed with the Court and served upon the debtor and her attorney under the seven day rule with no objections having been received as to the form or entry of the order, and for good cause shown;

IT IS ORDERED:

1. **Amount to be paid to Santander Consumer USA Inc.:** The trustee shall pay Santander Consumer USA Inc. the sum of \$36,140.00 over 60 months (being the net loan balance of \$30,785.00 with interest at 6.5% for 60 months).
2. **Adequate protection payments:** The Chapter 13 Trustee shall make adequate protection payments to Santander Consumer USA Inc. in the amount of \$307per month.
3. **Commencement and frequency of adequate protection payments:** Adequate protection payments shall be made monthly, each month to Santander Consumer USA Inc. commencing in February of 2019.
4. **Duration of adequate protection payments:** Adequate protection payments shall be made monthly to Santander Consumer USA Inc. until all counsel fees have been paid and regular distributions begin to be made to Santander Consumer USA Inc. If in any month there are insufficient funds on hand to pay both counsel fees and adequate protection payments, then funds on hand shall be used to pay adequate protection payments first, with the remaining balance going to counsel fees. If, after confirmation, counsel fees remain to be paid, then adequate protection payments shall continue to be paid to Santander Consumer USA Inc. until the remaining counsel fees have been paid.
5. **Lien retention:** In accordance with 11 U.S.C. 1325(a)(5)(B)(i)(I)(bb), Santander shall retain its lien on the vehicle until it has been paid in full through the plan, the debtor completes the plan and receives a discharge.